

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CISCO SYSTEMS, INC.,

Plaintiff-Appellant,

v.

No. 2017-2145

ARISTA NETWORKS, INC.,

Defendant-Appellee.

**PLAINTIFF-APPELLANT’S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE OPENING BRIEF**

Plaintiff-Appellant Cisco Systems, Inc. (“Cisco”) respectfully submits this unopposed motion pursuant to Federal Circuit Rule 26(b), for a thirty (30) day extension of time to file its opening brief. Under the current schedule, Cisco’s opening brief is due August 14, 2017. If this extension is granted, Cisco’s opening brief will be due September 13, 2017. No previous extension of this deadline has been requested or granted.

Cisco’s primary reason for requesting this extension is that its principal counsel, Kathleen M. Sullivan, has multiple existing obligations in other matters on or about August 14, 2017, the current due date, including the following: (a) a petition for a writ of certiorari due August 10, 2017, in the Supreme Court of the

United States in *Dow AgroSciences LLC v. Bayer CropScience AG* (No. 17-____); (b) a petition for a writ of certiorari due August 21, 2017, in the Supreme Court of the United States in *Farnum Place, LLC v. Krys* (No. 17-____); and (c) a reply brief due August 25, 2017, in the U.S. Court of Appeals for the Fifth Circuit in *Donald R. Miller, Jr. et al. v. Internal Revenue Service* (No. 16-11604).

Granting the requested unopposed extension will allow Cisco's counsel to meet these obligations while still having adequate time to finalize Cisco's opening brief in this case.

STATEMENT REGARDING CONSENT

Counsel for Cisco has discussed this motion with counsel for Defendant-Appellee Arista Networks, Inc. ("Arista"). Arista consents to this motion and will not file a response.

Dated: July 10, 2017

Respectfully submitted,

By: /s/ Kathleen M. Sullivan
Kathleen M. Sullivan
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100
kathleensullivan@quinnemanuel.com

Attorney for Plaintiff-Appellant

CERTIFICATE OF INTEREST

Counsel for Plaintiff-Appellant Cisco Systems, Inc. certifies the following:

1. The full name of every party or amicus represented by me is:

Cisco Systems, Inc.

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

N/A

3. All parent corporations and any publicly held companies that own 10% or more of the stock of the party or amicus curiae represented by me are:

None.

4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or are expected to appear in this court are:

Quinn Emanuel Urquhart & Sullivan, LLP: Carl G. Anderson; Todd Anten; Amy H. Candido; Matthew Cannon; Steven C. Cherny (previously of Kirkland & Ellis LLP); Andrew M. Holmes; David A. Nelson; Jason L. Liu; John M. Neukom; Jordan R. Jaffe; Sara E. Jenkins; Peter A. Klivans; Sean S. Pak; Owen Roberts; Kathleen M. Sullivan; Kenneth K. Suh; Lance L. Yang; Mark Y. Tung

Desmarais LLP: Tom BenGera; Paul A. Bondor; John M. Desmarais; Brian Leary; Tamir Packin; Michael R. Rhodes

Kirkland & Ellis LLP: Adam R. Alper; Michael W. De Vries; Alan S. Kellman;

Joshua L. Simmons; Michael A. Wueste

Morrison & Foerster LLP: Brian P. Gearing

Covington & Burling LLP: Phillip H. Warren

Boise, Schiller & Flexner: Richard A. Feinstein

Dated: July 10, 2017

Respectfully submitted,

By: /s/ Kathleen M. Sullivan

Kathleen M. Sullivan

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

Telephone: (212) 849-7000

Facsimile: (212) 849-7100

kathleensullivan@quinnemanuel.com

Attorney for Plaintiff-Appellant

PROOF OF SERVICE

The undersigned hereby certifies that on July 10, 2017, I electronically filed the foregoing PLAINTIFF-APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF with the Clerk of the Court for the United States Court of Appeals for the Federal Circuit by using the appellate CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Kathleen M. Sullivan
Kathleen M. Sullivan